

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HAROLD ROBERTS (#96167),

Plaintiff,

v.

BERNARD PAIGE, DR. D. MORRIS,
MS. CHAPMAN, MR. JUSTICE,
GLENN WILSON and WILLIAM EPLING

Defendants.

Case No. 10-cv-13743

Paul D. Borman
United States District Judge

Paul J. Komives
United States Magistrate Judge

ORDER (1) ADOPTING MAGISTRATE JUDGE'S SEPTEMBER 12, 2013 REPORT AND RECOMMENDATION REGARDING DEFENDANTS MORRIS, CHAPMAN AND JUSTICE (Dkt. 42); (2) DISMISSING DEFENDANTS MORRIS, CHAPMAN AND JUSTICE FOR PLAINTIFF'S FAILURE TO PROSECUTE; AND (3) CLOSING THE CASE SINCE DEFENDANTS PAIGE, WILSON AND EPLING WERE PREVIOUSLY DISMISSED BY THIS COURT'S ORDER OF SEPTEMBER 27, 2013 (Dkt. 43)

Before the Court is Magistrate Judge Paul J. Komives' Report and Recommendation regarding Defendants Morris, Chapman and Justice. (Dkt. 42). The Report and Recommendation sets forth that Defendants Morris, Chapman and Justice have not appeared and have not been served in this action. Further, the Report and Recommendation describes the numerous attempts the Court has made to ascertain Defendant Morris, Chapman and Justice's contact information. (Dkt. 42, at 3-5). Finally, the Court notes that Magistrate Judge Komives ordered Plaintiff to fully identify and provide correct addresses for Defendants Morris, Chapman and Justice on November 8, 2012. (Dkt. 39). Plaintiff failed to respond to this order and never identified or supplied the Defendants' correct addresses. As a result of these facts, Magistrate Judge Komives' recommends dismissing Defendants Morris, Chapman, and Justice for Plaintiff's failure to prosecute.

Having reviewed that Report and Recommendation, and there being no timely objections from any party under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court:

- (1) **ADOPTS** the Magistrate Judge's Report and Recommendation;
- (2) **DISMISSES** Defendants Morris, Chapman and Justice for Plaintiff's failure to prosecute; and
- (3) **CLOSES** the case since Defendants Paige, Wilson, and Epling were previously dismissed by this Court's Order of September 27, 2013.

IT IS SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: January 10, 2014

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 10, 2014.

s/Deborah Tofil
Case Manager